



ZONING COMMITTEE
REGULAR COMMITTEE MEETING
~Minutes~

Atlanta City Hall
55 Trinity Avenue
Atlanta, GA 30303
<http://www.atlantaga.gov/>

CITY OF ATLANTA

Chairperson
The Honorable Carla Smith

Theodis Pace
(404) 330-6314
tpace@atlantaga.gov

Wednesday, March 29, 2017

9:30 AM

Committee Room 1

A. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, March 29, 2017**, at **9:38 AM**. in **Committee Room 1**.

B. INTRODUCTION OF MEMBERS

Attendee Name	Position/District/Post	Status	Arrived
Carla Smith	Chair	Present	9:32 AM
Kwanza Hall	Councilmember, District 2	Present	9:54 AM
Mary Norwood	Councilmember, Post 2 At-Large	Present	9:37 AM
Alex Wan	Councilmember, District 6	Present	9:33 AM
Howard Shook	Councilmember, District 7	Present	9:37 AM
Keisha Lance Bottoms	Councilmember, District 11	Present	9:33 AM
Joyce Sheperd	Vice-Chair	Present	9:34 AM

Others in Attendance:

DPCD: Charletta Wilson Jacks, Director, Keyetta Holmes, Jessica Lavandier and Mary Darby; **Law:** Jeff Haymore and AnnaMarie Hazzard; **Others:** APD Officer, Council Staff, Councilmember Staff, the media and members of the public.

C. ADOPTION OF AGENDA

AOPTED

D. APPROVAL OF MINUTES

APPROVED

E. ORDINANCE(S) FOR SECOND READING

16-O-1702 (1) - Z-16-89 AN ORDINANCE BY COUNCILMEMBER JOYCE M. SHEPERD AS AMENDED BY ZONING COMMITTEE TO REZONE CERTAIN PROPERTIES ALONG A PORTION OF THE METROPOLITAN PARKWAY CORRIDOR (PERKERSON NEIGHBORHOOD BETWEEN CLEVELAND AVENUE AND LAKEWOOD AVENUE) FROM THE C-1, C-2 AND C-2-C TO MRC-2-C (MIXED RESIDENTIAL COMMERCIAL – CONDITIONAL) IN WHICH TO IMPLEMENT RECOMMENDATIONS OF VARIOUS PLANS AND STUDIES, INCLUDING THE LAKEWOOD LIVABLE CENTERS INITIATIVE AND FOR OTHER PURPOSES.

RESULT: FAVORABLE/SUBSTITUTE [UNANIMOUS]
MOVER: Joyce Sheperd, Vice-Chair
SECONDER: Alex Wan, Councilmember, District 6
AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd
ABSENT: Hall

Bring Forth Substitute

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carla Smith, Chair
SECONDER: Joyce Sheperd, Vice-Chair
AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd
ABSENT: Hall

16-O-1698 (2) - Z-16-AN ORDINANCE BY COUNCILMEMBER FELICIA A. MOORE AS AMENDED BY ZONING COMMITTEE TO REZONE CERTAIN PROPERTIES ALONG A PORTION OF BOLTON ROAD AND HOLLYWOOD ROAD WITHIN THE RIVERSIDE NEIGHBORHOOD FROM C-1, C-1-C, C-2-C, I-1-C, MRC-2, LW, R-4A AND RG-2 TO MRC-1-C AND MRC-2-C (MIXED RESIDENTIAL COMMERCIAL-CONDITIONAL) IN WHICH TO IMPLEMENT VARIOUS PLANS AND STUDIES ALONG BOLTON AND HOLLYWOOD ROADS.

RESULT: FAVORABLE/SUBSTITUTE [UNANIMOUS]
MOVER: Alex Wan, Councilmember, District 6
SECONDER: Carla Smith, Chair
AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd
ABSENT: Hall

Bring Forth Substitute

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carla Smith, Chair
SECONDER: Alex Wan, Councilmember, District 6
AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd
ABSENT: Hall

17-O-1023 (3) - Z-16-92 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE RLC-C (RESIDENTIAL LIMITED COMMERCIAL-CONDITIONAL) DISTRICT TO THE RLC-C (RESIDENTIAL LIMITED COMMERCIAL-CONDITIONAL) DISTRICT, FOR A CHANGE OF CONDITIONS. PROPERTY LOCATED AT 4609 WIEUCA ROAD, N.W. PROPERTY FRONTS APPROXIMATELY 71 FEET ON THE NORTHEASTERLY SIDE OF WIEUCA ROAD BEGINNING 390 FEET FROM THE SOUTHWESTERLY INTERSECTION OF ROSWELL ROAD AND WIEUCA ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 0.377 ACRES. LAND LOT 95. 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: BILL AMES; APPLICANT: BILL AMES; NPU B COUNCIL DISTRICT 7

Application File Date	12-6-2016
Zoning Number	Z-16-92

NPU / CD	B/7
Staff Recommendation	APPROVAL - CONDITIONAL
NPU Recommendation	APPROVAL
ZRB Recommendation	APPROVAL - CONDITIONAL

RESULT: FAVORABLE/AMENDED [UNANIMOUS]

MOVER: Carla Smith, Chair

SECONDER: Alex Wan, Councilmember, District 6

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

- 17-O-1024 (4) - Z-16-93 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-2-C (COMMERCIAL SERVICES-CONDITIONAL) DISTRICT TO THE MRC-3 (MIXED RESIDENTIAL COMMERCIAL) DISTRICT, FOR PROPERTY LOCATED AT 780 MEMORIAL DRIVE, S.E. PROPERTY FRONTS APPROXIMATELY 386 FEET ON THE NORTH SIDE OF MEMORIAL DRIVE AT THE NORTHEAST INTERSECTION OF PEARL STREET AND MEMORIAL DRIVE. DEPTH: VARIES. AREA: APPROXIMATELY 3.85 ACRES. LAND LOT 20. 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: 780 MEMORIAL, LLC; APPLICANT: MCRT INVESTMENT, LLC; NPU N COUNCIL DISTRICT 5

Application File Date	12-6-2016
Zoning Number	Z-16-93
NPU / CD	N/5
Staff Recommendation	APPROVAL-CONDITIONAL
NPU Recommendation	APPROVAL
ZRB Recommendation	APPROVAL-CONDITIONAL

RESULT: FAVORABLE/AMENDED [UNANIMOUS]

MOVER: Alex Wan, Councilmember, District 6

SECONDER: Howard Shook, Councilmember, District 7

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

Amend

RESULT: ADOPTED [UNANIMOUS]

MOVER: Alex Wan, Councilmember, District 6

SECONDER: Mary Norwood, Councilmember, Post 2 At-Large

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

- 17-O-1025 (5) - U-16-33 AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR TRANSFER OF DEVELOPMENT

RIGHTS TO SEVER UP TO 60,000 SQUARE FEET OF NONRESIDENTIAL DEVELOPMENT RIGHTS FROM 979 CRESCENT AVENUE (SENDING PROPERTY) TO 771 SPRING STREET AND 756, 760, 766 AND 774 WEST PEACHTREE STREET (RECEIVING PROPERTIES). THE "RECEIVING PROPERTIES" FRONT APPROXIMATELY 241 FEET ON THE WEST SIDE OF WEST PEACHTREE STREET AT THE INTERSECTION OF WEST PEACHTREE STREET AND FOURTH STREET. DEPTH: VARIES. AREA: APPROXIMATELY 2.16 ACRES. LAND LOT 80, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: TECHNOLOGY SQUARE, LLC; APPLICANT: TECHNOLOGY SQUARE, LLC; NPU E COUNCIL DISTRICT 2

Application File Date	11-22-16
Zoning Number	U-16-33
NPU / CD	E/2
Staff Recommendation	APPROVAL-CONDITIONAL
NPU Recommendation	APPROVAL-CONDITIONAL
ZRB Recommendation	APPROVAL-CONDITIONAL

RESULT: FAVORABLE/AMENDED [UNANIMOUS]

MOVER: Carla Smith, Chair

SECONDER: Alex Wan, Councilmember, District 6

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

17-O-1045 (6) - U-17-001 AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A DAY CARE CENTER/PREKINDERGARTEN, PURSUANT TO SECTION 16-07.005(B), FOR PROPERTY LOCATED AT 502 SEMINOLE AVENUE N.E., FRONTING APPROXIMATELY 191 FEET ON THE WEST SIDE OF SEMINOLE AVENUE BEGINNING 0 FEET FROM THE INTERSECTION OF SINCLAIR AVENUE; DEPTH: VARIES; AREA: APPROXIMATELY 1.408 ACRES. LAND LOT 15, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: THE MOST REVEREND GREGORY JOHN MANSOUR, EPARCH OF THE EPARCHY OF SAINTS AND HIS SUCCESSORS; APPLICANT: DRUID HILLS PRESCHOOL, INC.; NPU N COUNCIL DISTRICT 2

RESULT: FORWARDED WITH NO RECOMMENDATION [UNANIMOUS]

MOVER: Kwanza Hall, Councilmember, District 2

SECONDER: Carla Smith, Chair

AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

16-O-1675 (7) - U-16-29- AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-005.005(1) (G) FOR A PERSONAL CARE HOME, TO BE LOCATED AT 4246 CAMPBELLTON ROAD, S.W. PROPERTY FRONTS APPROXIMATELY 200 FEET ON THE SOUTH SIDE OF CAMPBELLTON ROAD AT THE SOUTHEAST INTERSECTION OF CAMPBELLTON ROAD AND NISKEY

LAKE ROAD. DEPTH: 200 FEET. AREA: APPROXIMATELY 0.09 ACRES. LAND LOT 43. 14TH DISTRICT, FULTON COUNTY. OWNER: NISK CAMP, LLC; APPLICANT: TAWANA L. ALLEN; NPU P COUNCIL DISTRICT 11

Application File Date	9-29-16
Zoning Number	U-16-29
NPU / CD	P/11
Staff Recommendation	APPROVAL - CONDITIONAL
NPU Recommendation	DENIAL
ZRB Recommendation	APPROVAL - CONDITIONAL

RESULT: ADVERSE [UNANIMOUS]

MOVER: Keisha Lance Bottoms, Councilmember, District 11

SECONDER: Alex Wan, Councilmember, District 6

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

- 16-O-1655 (8) - U-16-35 AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AS AMENDED BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A COMMUNITY CENTER LOCATED AT 8 EAST LAKE BOULEVARD, N.E., FRONTING APPROXIMATELY 160 FEET ON THE WEST SIDE OF EAST LAKE DRIVE N.E. AND HOSEA L. WILLIAMS DRIVE N.E. DEPTH: VARIES. AREA: APPROXIMATELY .7 ACRES. LAND LOT 204, 15TH DISTRICT DEKALB COUNTY, GEORGIA NPU O COUNCIL DISTRICT 5

RESULT: FAVORABLE/AMENDED [UNANIMOUS]

MOVER: Alex Wan, Councilmember, District 6

SECONDER: Carla Smith, Chair

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

- 17-O-1021 (9) - Z-16-82 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE MR-3/ (MULTIFAMILY RESIDENTIAL)/BELTLINE OVERLAY DISTRICT TO THE C-1 (COMMUNITY BUSINESS)/BELTLINE OVERLAY DISTRICT, FOR PROPERTY LOCATED AT 520 DANIEL STREET, N.E. PROPERTY FRONTS APPROXIMATELY 216 FEET ON THE WEST SIDE OF DANIEL STREET AT THE NORTHWEST INTERSECTION OF DANIEL STREET AND DECATUR STREET. DEPTH: APPROXIMATELY 226 FEET. AREA: APPROXIMATELY 1.22 ACRES. LAND LOT 45. 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: CNP DECATUR, LLC.; APPLICANT: RANDY PIMSLER; NPU M COUNCIL DISTRICT 2

Application File Date	11-17-2016
Zoning Number	Z-16-82
NPU / CD	M/2

Staff Recommendation	APPROVAL-CONDITIONAL
NPU Recommendation	APPROVAL
ZRB Recommendation	APPROVAL - CONDITIONAL

RESULT: FAVORABLE/AMENDED [UNANIMOUS]

MOVER: Alex Wan, Councilmember, District 6

SECONDER: Howard Shook, Councilmember, District 7

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

Amend

RESULT: ADOPTED [UNANIMOUS]

MOVER: Carla Smith, Chair

SECONDER: Alex Wan, Councilmember, District 6

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

- 16-O-1583 (10) - U-16-24- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-17.007 (1) (P) FOR A TRUCK TERMINAL FOR PROPERTY LOCATED AT 3195 BRICK PLANT ROAD, N.W., FRONTING APPROXIMATELY 360 FEET ON THE NORTHWEST SIDE OF PARROT AVENUE BEGINNING APPROXIMATELY 331 FEET FROM THE NORTHWEST CORNER OF SPAD AVENUE, N.W. DEPTH: APPROXIMATELY 1600 FEET. AREA: APPROXIMATELY 44.56 ACRES. LAND LOT 263, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: LINCOLN TERMINAL COMPANY, INC. APPLICANT: DUNLAVY LAW GROUP, LLC NPU G COUNCIL DISTRICT 9

Application File Date	
Zoning Number	U-16-24
NPU / CD	G/9
Staff Recommendation	FILE
NPU Recommendation	DENIAL
ZRB Recommendation	FILE

RESULT: FILED BY COMMITTEE [UNANIMOUS]

MOVER: Alex Wan, Councilmember, District 6

SECONDER: Carla Smith, Chair

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

- 17-O-1136 (11) - TR-17-02 AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 94-O-0877/U-94-15 ADOPTED BY THE CITY COUNCIL ON JULY 5, 1994 AND APPROVED BY THE MAYOR ON JULY 14, 1994 BY OPERATION OF LAW FOR PROPERTY LOCATED AT 2132-2136 DONALD

LEE HOLLOWELL PKWY., N.W. TO APPROVE A TRANSFER OF A SPECIAL USE PERMIT FOR A DAY CARE CENTER; AND FOR OTHER PURPOSES. NPU J COUNCIL DISTRICT 9

RESULT: FAVORABLE [UNANIMOUS]

MOVER: Alex Wan, Councilmember, District 6

SECONDER: Joyce Sheperd, Vice-Chair

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

17-O-1160 (12) - AN ORDINANCE BY COUNCILMEMBER JOYCE SHEPERD AUTHORIZING THE INSTALLATION OF PUBLIC ART LOCATED AT 1331 METROPOLITAN PKWY, SW, ATLANTA, GEORGIA 30310 AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

RESULT: HELD IN COMMITTEE [UNANIMOUS]

MOVER: Joyce Sheperd, Vice-Chair

SECONDER: Alex Wan, Councilmember, District 6

AYES: Smith, Norwood, Wan, Shook, Bottoms, Sheperd

ABSENT: Hall

F. PAPER(S) HELD IN COMMITTEE

14-O-1348 (13) - U-14-13 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16-06.005 (1)(G) FOR PROPERTY LOCATED AT 929 CASCADE AVENUE, S.W., FRONTING APPROXIMATELY 95 FEET ON THE NORTH SIDE OF CASCADE AVENUE APPROXIMATELY 60 FEET EAST OF THE INTERSECTION OF ALTADENA PLACE AND CASCADE AVENUE. DEPTH VARIES. AREA: APPROXIMATELY 0.45 ACRE. LAND LOT 151, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: FLORENCE M. DEMOSTHENES APPLICANT: MAURICE SESSOMS, NPU S, COUNCIL DISTRICT 10

Application File Date	5-22-14
Zoning Number	U-14-13
NPU / CD	S/10
Staff Recommendation	Denial
NPU Recommendation	Approval
ZRB Recommendation	Denial

(Held 8/27/14)

RESULT: HELD IN COMMITTEE [UNANIMOUS] Next:
4/17/2017 1:00 PM

AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 14-O-1366 (14) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AS SUBSTITUTED BY ZONING COMMITTEE TO AMEND SEC. 15-06.001 OF THE SUBDIVISION ORDINANCE OF THE CITY OF ATLANTA SO AS TO AMEND THE DEFINITION OF THE TERM "HISTORIC NEIGHBORHOOD" AS A NEIGHBORHOOD ACTUALLY LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES; TO AMEND SEC. 15-08.005(D)(6) OF THE SUBDIVISION ORDINANCE SO AS TO REGULATE THE SUBDIVISION OF PROPOSED LOTS IN HISTORIC NEIGHBORHOODS; TO ADD SEC. 15-08.005(D)(7) TO REGULATE THE SUBDIVISION OF PROPOSED LOTS WHERE NEW STREET(S) ARE PROPOSED IN NEIGHBORHOODS IDENTIFIED BY ORDINANCE AS POTENTIALLY ELIGIBLE FOR LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES; AND FOR OTHER PURPOSES.

(Referred back by Council 9/15/14) (Substituted and held 9/24/14)

RESULT: HELD IN COMMITTEE [UNANIMOUS] Next:
4/17/2017 1:00 PM

AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 16-O-1155 (15) - Z-16-13 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT FOR PROPERTY LOCATED AT 2742 AND 2748 ALPINE ROAD, N.E., FRONTING APPROXIMATELY 99 FEET ON THE WEST SIDE OF ALPINE ROAD AND BEGINNING APPROXIMATELY 95.6 FEET FROM THE WEST INTERSECTION OF PIEDMONT ROAD. DEPTH: VARIES AREA: APPROXIMATELY .647 ACRES. LAND LOT 60, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: RICHARD AND STEWART AIKEN APPLICANT: GORDON GOODMAN NPU B COUNCIL DISTRICT 7

Application File Date	3-1-2016
Zoning Number	Z-16-13
NPU / CD	B/7
Staff Recommendation	Approval Conditional
NPU Recommendation	Deferral
ZRB Recommendation	Approval Conditional

(Referred back by Council 9/19/16) (Held 9/28/16)

RESULT: HELD IN COMMITTEE [UNANIMOUS] Next:
4/17/2017 1:00 PM

AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 16-O-1226 (16) - AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS AS SUBSTITUTED BY ZONING COMMITTEE TO ZONE THE SANDTOWN NEIGHBORHOOD IDENTIFIED ON EXHIBIT "A" TO THE R-2 (SINGLE FAMILY RESIDENTIAL), R-3 (SINGLE FAMILY RESIDENTIAL-CITY OF ATLANTA), R-4 (SINGLE FAMILY RESIDENTIAL), R-5 (TWO FAMILY

RESIDENTIAL), PDH (PLANNED DEVELOPMENT-HOUSING), C-1 (COMMUNITY BUSINESS) AND MRC-1 (MIXED RESIDENTIAL COMMERCIAL) ZONING DISTRICT; AND FOR OTHER PURPOSES.
(Held 7/13/16)

RESULT: HELD IN COMMITTEE [UNANIMOUS] Next:
4/17/2017 1:00 PM

AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

17-O-1072 (17) - AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AUTHORIZING THE INSTALLATION OF PUBLIC ART (ENTITLED "IN SOLIDARITY") AT 577 EDGEWOOD AVENUE, S.E., UNITY #207, ATLANTA, GEORGIA 30312, AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

RESULT: HELD IN COMMITTEE [UNANIMOUS] Next:
4/17/2017 1:00 PM

AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

G. WALK-IN LEGISLATION

NONE


H. REMARKS FROM THE PUBLIC

Speaker1
Speaker 2
Ron Shakir
Brother Muhammad
Jay Patten
Jeff R

I. ADJOURNMENT

There being no further business to come before the Zoning Committee the meeting was adjourned at 1:56 PM

Respectfully submitted:


Wasonna Griffin, Legislative Assistant


Theo Pace, Research & Policy Analyst


The Honorable Carla Smith, Chair